

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO.: 3:20cr242-KDB

UNITED STATES OF AMERICA)	
)	ORDER OF FORFEITURE
v.)	
)	
DAMIYUS DIAMONTE FOWLER)	

This matter is before the Court on the Government's oral motion. THIS COURT FINDS AS FOLLOWS:

1. The Bill of Indictment (Doc. 1) in this case charged Defendant with violation of 18 U.S.C. § 922(g)(1). The Indictment also provided notice that property was subject to forfeiture pursuant to 18 U.S.C. § 924 and/or 28 U.S.C. § 2461(c) and specifically contained a Grand Jury finding that there was probable cause the following property was subject to forfeiture:

One Glock, Model 22, .40 caliber pistol, serial number LPB077, and ammunition, seized on or about January 26, 2020 during the investigation.

2. Defendant pled guilty to Count One in the Indictment. Based on the information contained in the Presentence Investigation Report and Factual Basis, the Government has established the requisite nexus between the property and such offenses.

3. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish notice of this order; notice of its intent to dispose of the property in such manner as the United States may direct; and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the

subject of this Order of Forfeiture, as a substitute for published notice as to those persons so notified..

4. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n).

5. If no third party files a timely claim, this Order of forfeiture shall become Final and shall be made part of the sentence and included in the judgment, as provided by Fed. R. Crim. P. 32.2(b)(4) and 32.2(c)(2).

Signed this the 13th day of May, 2021.



THE HONORABLE KENNETH D. BELL
UNITED STATES DISTRICT JUDGE